



July 21, 2017

Marlene H. Dortch, Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Citizens Broadband Radio Service
GN Docket No. 12-354, RM-11778 and RM-11789
Comments of Virginia Everywhere, LLC dba All Points Broadband

Dear Ms. Dortch:

I am writing on behalf of Virginia Everywhere, LLC dba All Points Broadband, a fixed wireless Internet service provider serving northern and southwestern Virginia and communities in Maryland and West Virginia. All Points has been in business for less than three years and now serves approximately 15,000 end-users. We raised private, at-risk capital from institutions and individuals which we deploy to bring broadband service to areas where there are no terrestrial alternatives or a lack of choice. Our young, entrepreneurial company is an example of the private sector's willingness to invest in rural broadband if there is a sensible regulatory environment that encourages investment.

I also serve on the Board of Directors of the Wireless Internet Service Providers Association and am Chairman of its Legislative Committee. I have testified before the United States Senate on matters relating to rural broadband deployment.

I am very aware of the statistics showing that 23 million rural Americans lack access to broadband and millions of others lack choice. Given the relative economics of fixed wireless compared to fiber-to-the-home in sparsely populated areas, fixed wireless is the most cost efficient and effective access technology to connect these unserved Americans. The FCC's spectrum policies must reflect this reality and foster the related private investment that will bridge the digital divide and provide robust, fixed broadband connectivity to all Americans.

Two years ago, the FCC adopted rules for commercial sharing of the Citizens Broadband Radio Service (CBRS). All Points was very pleased to support these rules, and has begun making substantial investments in reliance on the framework the FCC has previously established. We have devoted substantial resources to conduct an equipment trial under an experimental license for which we have applied. We have purchased equipment and are making significant investments to prepare our network for CBRS deployments. We plan to bid on Priority Access Licenses (PALs) and have engaged advisors to assist us in this process. We are evaluating bidding in the Connect America Fund reverse auction, and have determined that CBRS spectrum will be required to make successful bids.

All Points opposes the recently filed rulemaking petitions filed by CTIA and T-Mobile. We believe that the FCC got it right when it decided to have shorter-term licenses, census tract PAL areas and spectrum specifically allocated for General Authorized Access (GAA) use. The proposals offered by CTIA and T-Mobile would destroy this carefully balanced licensing model, which is intended for rural broadband deployment and multiple other use cases—not just 5G. The proposals would virtually ensure that privately financed, entrepreneurial broadband companies like All Points will be precluded from participating in any PAL auctions.

All Points and other fixed wireless ISPs target our investment to areas that are unserved or where there is only one incumbent provider. Frequently, these areas are smaller “pockets” within larger geographic areas which are predominantly served by one or more other providers. Within these underserved pockets, All Points and companies like ours can put CBRS spectrum to its highest and best use—rapidly deploying a fixed broadband service offering unlimited data at speeds that support the needs of end users, and thus connecting the unconnected.

However, if the CBRS licensing regime is based on larger geographic areas such as Partial Economic Areas (PEAs), we will not be able to justify the investment required to provide last-mile service to the unserved. It is uneconomical for All Points to bid for CBRS spectrum in areas where there are already incumbent providers. Shifting to PEAs as the geographic area for PALs will exacerbate and perpetuate today’s last-mile problem—large mobile carriers will acquire spectrum covering large geographic areas, but only deploy in the portions of those areas where demand and density satisfy their business models. Though All Points would have the ability to temporarily deploy in the areas where PAL spectrum is fallow, we cannot justify significant capital investments that rely on “leftover” spectrum that can be reclaimed by a PAL holder on limited notice.

We are very concerned about T-Mobile’s proposal to convert the entire 150 MHz band to PALs, which would eliminate GAA channels and allow only opportunistic GAA use. Under current rules, the Grandfathered Wireless Protection Zones in the 3650-3700 MHz band will become GAA after the transition ends in April 2020. The FCC wisely acknowledged the potential for damaging interference and stranded investment when it adopted the grandfathering rules and procedures in 2015. It should not now change its mind just so three large mobile wireless carriers can someday, maybe, deploy 5G, whenever that standard is actually adopted.

In sum, there is a present and persistent digital divide and a near-term solution to helping to efficiently bridge that gap: CBRS. All Points is already investing to make use of this resource on the basis of the FCC’s previously announced framework and await only completion and certification of the SAS and ESC. Our customers and all unserved Americans should not be forced to wait while yet more spectrum is made available on a de facto exclusive basis to the biggest wireless carriers, while small, rural, unserved and underserved communities continue to lack service and competitive choice.

Sincerely,

/s/

James G. Carr
Chief Executive Officer